



Inter Office Memo

DATE: December 14, 2023

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 13019 - UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3775

APPLICANT: H2B2 USA, LLC.

OWNER: Bar 20 Dairy, LLC.

REQUEST: Amend Unclassified Conditional Use Permit Nos. 3691 and 3760 to allow the installation and operation of two hydrogen fuel dispensers in conjunction with an approved hydrogen production facility, on an approximately 1.25-acre portion of a 324.66-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the south side of State Route 180 (W. Whitesbridge Avenue) approximately 1.5 miles west of its nearest intersection with South James Road and approximately 7.4 miles east of the nearest city limits of the City of Mendota (APN: 015-100-20S) (Sup. Dist. 1).

PLANNING COMMISSION ACTION:

At its hearing of December 14, 2023, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Zante and seconded by Commissioner Quist to adopt the recommended Findings, based on the analysis in the Staff Report, and approve Unclassified Conditional Use Permit No. 3775, subject to the conditions listed in Exhibit B.

RESOLUTION NO. 13019

This motion passed on the following vote:

VOTING: Yes: Commissioners Zante, Quist, Abrahamian, Carver and Hill
 No: None
 Absent: Commissioners Arabian, Chatha and Woolf
 Abstain: None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By: 
 Chris W. Motta, Manager
Development Services and Capital Projects Division

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NOTE: The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Conditional Use Permit.

Attachments

EXHIBIT A

Unclassified Conditional Use Permit Application No. 3775

Staff: The Fresno County Planning Commission considered the Staff Report dated December 14, 2023, and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended conditions. He described the project and offered the following additional information to clarify the intended use:

- The project requests to allow the installation of two hydrogen fuel dispensers. The applicant has contracted with municipalities to supply hydrogen for hydrogen powered vehicles.
- With regard to safety, the project will be subject to applicable building and fire codes.

Others: One other individual spoke in support of the application, stating the following:

The project will allow the acceleration of the use of green hydrogen fuel in the local area.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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EXHIBIT B

**Unclassified Conditional Use Permit Application No. 3775
(Including Conditions of Approval and Project Notes)**

Conditions of Approval	
1.	The project shall comply with all Mitigation Measures, Conditions of Approval, and Project Notes for Unclassified Conditional Use Permit No. 3691, and Unclassified Conditional Use Permit No. 3760.
2.	Development and operation shall be in substantial conformance with the approved Site Plans, Detail Drawings and Operational Statement.

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference required Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	<p>The Fresno County Fire Protection District provided the following comments:</p> <ul style="list-style-type: none"> • The Project shall comply with California Code of Regulations Title 24 – Fire Code. Prior to receiving Fresno County Fire Protection District (FCFPD) conditions of approval for the project, the Applicant must submit construction plans to the County of Fresno Public Works and Planning and FCFPD for review. It is the Applicant’s responsibility to deliver a minimum of two sets of plans to the FCFPD. • Project/Development may be required to annex into the Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. Project/Development including Single-Family Residential (SFR) properties of three or more housing units, Multi-Family Residential (MFR) property, Commercial property, Industrial property, and/or Office property. • Project/Development will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.

EXHIBIT B

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